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INFO RUCNASE/ASEAN MEMBER COLLECTIVE PRIORITY  
RUCNCLC/CHILD LABOR COLLECTIVE PRIORITY  
RUEHZJ/HUMAN RIGHTS COUNCIL COLLECTIVE PRIORITY  
RUCNRBC/RIMC BANGKOK COLLECTIVE PRIORITY  
RUCNNAR/VIENNA NARCOTICS COLLECTIVE PRIORITY  
RUEHBK/AMEMBASSY BANGKOK PRIORITY 4734  
RUEHJA/AMEMBASSY JAKARTA PRIORITY 4452  
RUEHKL/AMEMBASSY KUALA LUMPUR PRIORITY 1990  
RUEHMK/AMEMBASSY MANAMA PRIORITY 0225  
RUEHML/AMEMBASSY MANILA PRIORITY 1478  
RUEHPF/AMEMBASSY PHNOM PENH PRIORITY 0742  
RUEHFK/AMCONSUL FUKUOKA PRIORITY 7201  
RUEHNH/AMCONSUL NAHA PRIORITY 9557  
RUEHOK/AMCONSUL OSAKA KOBE PRIORITY 1020  
RUEHKS/AMCONSUL SAPPORO PRIORITY 7713  
RHMFISS/FBI WASHDC PRIORITY  
RUEHBK/FBIS BANGKOK TH PRIORITY  
RUEAWJA/JUSTICE DEPT WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 TOKYO 002531

SIPDIS

DEPARTMENT FOR G/TIP: CHRIS CHAN-DOWNER

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TAGS: [KTIP](#) [PGOV](#) [PHUM](#) [ELAB](#) [JA](#) [TH](#)

SUBJECT: THAILAND AND JAPAN TO INK SOP ON TIP

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Classified By: DCM James P. Zumwalt per 1.4 (b, d)

11. (C) SUMMARY: First Secretary Rapipongs Bachong-Silpa of the Royal Thai Embassy in Tokyo informed Embassy Political Officer that Thailand and Japan will sign a Standard Operating Procedure (SOP) agreement regarding the rescuing, repatriating and social integration of human trafficking victims. The SOP is designed to be in accordance with the Protocol to Prevent, Suppress, and Punish Trafficking in Persons (the "Palermo Accord") and the UN Convention Against Transnational Organized Crime, as well as other relevant UN and UNHCR conventions and protocols. He said the SOP would also reflect suggestions made to Japan by the Special Rapporteur on Trafficking in Persons. Rapipongs said he expected the document would be signed before the end of the year, as only minor details still remained to be negotiated. END SUMMARY.

12. (C) The Government of Thailand has signed MoUs on "bilateral cooperation for eliminating trafficking in persons" with Cambodia, Laos, Burma, and Vietnam, as well as the multilateral MoU against trafficking in persons signed in 2004 by the six nations of the greater Mekong Sub-region (Cambodia, China, Laos, Burma, Thailand, and Vietnam). According to Rapipongs, Thailand is also aiming to establish working agreements with destination countries. The Japanese and Thai governments first set up a "Japan-Thailand Joint Task Force on Counter Trafficking in Persons (JT-CTP)" in May 2006. The original "SOP between Japan and Thailand regarding the rescuing, repatriating and social integration of human trafficking victims" was drafted by the Thai Ministry of Social Development and Human Security. Following several rounds of negotiations, the final document is now basically in place.

OUTLINE OF THE SOP

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13. (C) The SOP sets forth a number of best practices to be observed when dealing with Thai victims (NOTE: According to Hiroki Matsui Deputy Director of MOFA's International Organized Crime Division, Japan intends to extend these practices to victims of all countries. END NOTE). These include: 1) a commitment not to prosecute victims of trafficking in persons for possible illegal entry; 2) a guaranteed right to access social services and seek legal assistance irrespective of the victim's decision to cooperate with law enforcement authorities; 3) cooperating witnesses will be guaranteed protection and safety of residence; 4) the focus of reintegration and repatriation efforts will be on victim safety, and prevention of retrafficking; 5) legal alternatives to repatriation will be offered when repatriation is determined to be dangerous for the victim; 6) the human rights of the victims will be assured in all situations; and, 7) the victim's rights, confidentiality, and privacy, will always be protected.

14. (C) Further details of the SOP include the stipulations that: 1) victim identification processes will take place in victim-friendly/child-friendly environments in which interpreters and social workers are provided; 2) victims will be entitled to the full set of legal remedies and restitution; 3) during legal proceedings a social worker will be provided; and, 4) for each victim a case profile will be kept and risk assessments made.

#### THE PRESENT SITUATION

15. (C) Commenting on the current state of the Thai community in Japan, Rapipongs said the total number of Thais in Japan

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is about 40,000. Of these, based on Japanese Immigration Bureau figures, about 6-7,000 are illegal overstayers. Rapipongs added that efforts by Japan to decrease the number of illegal residents in Japan has also affected the Thai community. A few years ago, the Royal Thai Embassy issued about 100 temporary passports to Thai nationals a month. These temporary passports allow Thai nationals who either lost their passport, or entered the country illegally, to make a one-way return trip to Thailand. Now he said the embassy was only issuing about 60 temporary passports a month. (NOTE: By comparison, with about 800,000 visitors a year and about 160,000 citizens resident in Japan, the U.S. deals with only about 300 lost or stolen passport cases annually. END NOTE) "Even now though," Rapipongs added, "everyday our Consular Officers notice a few individuals who we believe entered Japan either by being smuggled on a fishing boat, or by entering from Korea with a fake passport from another country." He said it is difficult to estimate the number of these types of entrants, but that it is a significant, if small percentage of the total.

16. (C) Asked for his candid assessment of the trafficking situation between Thailand and Japan, Rapipongs felt that at present, the majority of Thai women coming to Japan who end up working in commercial sex operations are, in his words, "professionals." He added that at present the majority of innocent victims from Thailand, who clearly had been "duped" into thinking they were going to work as a nanny or housekeeper, are going to Bahrain as a destination country. (NOTE: Of the 230 TIP victims identified in Japan between 2005 and 2008, 43, or about 19%, were from Thailand. END NOTE) ROOS